

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:13CR273
)	
vs.)	ORDER
)	
CHET LEE WEST,)	
)	
Defendant.)	

This matter is before the court on the motion of defendant Chet Lee West (West) to continue trial (Filing No. 79). The motion was discussed during a Rule 17.1 conference on July 9, 2014. The motion will be granted to allow West additional time to prepare for trial but not on the grounds for West to perfect an interlocutory appeal. West stated on the record he understood the additional time granted would be excluded under the Speedy Trial Act. West also requested additional time to respond to the government's Motion In Limine to Exclude Evidence or Argument By Defendant (Filing No. 60) and to file a Motion In Limine on the government's Supplemental Notice of Intent to Introduce Rule 404(b) Evidence (Filing No. 62). The additional time will be granted.

The court reviewed West's objections to the government's Amended List of Exhibits (Filing No. 71). West's objections are noted **on the attached Amended List of Exhibits**. West asked for additional time to list his witnesses and exhibits as was required by the Rule 17.1 order (Filing No. 55). His request was granted.

The court also reviewed again with West his options for counsel. The court urged West to retain counsel or request the appointment of counsel to include stand-by counsel. West declined the court's offer and again elected to proceed as his own counsel without the appointment of stand-by counsel.

IT IS ORDERED:

1. Trial of this matter is rescheduled to commence at 9:00 a.m. on October 7, 2014, before Chief Judge Laurie Smith Camp and a jury in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The ends of justice have been served by granting West's motion and outweigh the interests of the

public and West in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 9, 2014, and October 7, 2014**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that West requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

2. West shall have to **on or before July 25, 2014**, in order to:
 - a. File a response to the government's Motion In Limine To Exclude Evidence or Argument by Defendant (Filing No. 60);
 - b. File a Motion In Limine regarding the government's Supplemental Notice of Intent to Introduce Rule 404(b) Evidence (Filing No. 62);
 - c. File a list of exhibits which West intends to introduce at trial on a form available from the clerk; and
 - d. File a list of witnesses West intends to call at time of trial (to include names, addresses, and contact information).

DATED this 9th day of July, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHET LEE WEST,

Defendant.

AMENDED LIST OF EXHIBITS

Case Number: 8:13CR273-LSC-TDT

Courtroom Deputy:

Court Reporter:

PLF	DF	3 P T Y	DESCRIPTION	OFF	OBJ	RCVD	NOT RCVD	DATE
1			West, Chet Lee - 1995 through 2012 Transcript of Account, 172 pages (Bates Numbers 1-172) (Certified)		<i>None</i>			
2			West, Chet Lee - 1996 Amended Tax Return (Form 1040X), 9 pages (Bates Numbers 173-181) (Certified)		<i>R</i>			
3			West, Chet Lee - 1997 Amended Tax Return (Form 1040X), 7 pages (Bates Numbers 182-188) (Certified)		<i>R</i>			
4			West, Chet Lee - 1998 Amended Tax Return (Form 1040X), 6 pages (Bates Numbers 189-194) (Certified)		<i>R</i>			
5			West, Chet Lee - 1999 Amended Tax Return (Form 1040X), 8 pages (Bates Numbers 195-202) (Certified)		<i>R</i>			
6			West, Chet Lee - 2000 Amended Tax Return (Form 1040X), 6 pages (Bates Numbers 203-208) (Certified)		<i>R</i>			
7			West, Chet Lee - 2001 Tax Return (Form 1040) Rejected due to Under Duress written above signature, 17 pages (Bates Numbers 209-225) (Certified)		<i>R</i>			
8			West, Chet Lee - 2001 Tax Return (Form 1040) Delinquent and Frivolous, 5 pages (Bates Numbers 226-230) (Certified)		<i>R</i>			
9			West, Chet Lee - 1999 Tax Return (Form 1040), 8 pages (Bates Numbers 231-238) (Certified)		<i>R</i>			
10			Response from Chet West with Explanation and claim not a U.S. citizen, dated July 26, 2006, 3 pages (Bates Numbers 239-241) (Certified)		<i>None</i>			

11		Response from Chet West with Explanation and claim not a U.S. citizen, dated September 14, 2006, 9 pages (Bates Numbers 242-250) (Certified)		none			
12		Response from Chet West to notice Letter 2050 - 2001 return, LTR 474C, and CP49 letters, dated May 26, 2007, 5 pages (Bates Numbers 251-255) (Certified)		none			
13		Positive Flow Systems - 2001 through 2010 Transcript of Account, 1 page (Bates Number 256) (Certified)		none			
14		Response from Chet West to Administrative Notice (LTR 474C copy of 4/13/05), Explanation and refund demand, dated April 21, 2005, 4 pages (Bates Numbers 257-260) (Certified)		none			
15		Response from Chet West to Notice of Deficiency request be revoked and refund, dated January 5, 2006, 5 pages (Bates Numbers 261-265) (Certified)		none			
16		January 26, 2011 email and copy of Are You A Taxpayer book from Chet West, 70 pages (Bates Numbers 356-425)		none			
17		Letter with book and CD from Chet West to Special Agent Evan T. Carpenter, dated February 7, 2011, 2 pages (Bates Numbers 426-427)		none			
18		Letter requesting affidavit affirming Taxpayers from Chet West to Special Agent Evan T. Carpenter, dated March 8, 2011, 2 pages (Bates Numbers 432-433)		none			
19		Sample of Letters from Chet Lee West in chronological order, 7 pages (Bates Numbers 445-451)		none			
20		BH Management Services Lease Agreement with Chet West for Apartment 5 at 7353 Grant Street, Omaha, Nebraska, dated November 1, 2007, 32 pages (Bates Numbers 508-539)		R			
21		Application for Residency from Chet West for 7353 Grant Street, #5, Omaha, Nebraska 68134, dated June 30, 2006, 32 pages (Bates Numbers 540-571)		R			
22		Explanation and Nontaxpayer Affidavit from Chet L. West to CSI dated January 15, 2007 (Notarized), 3 pages (Bates Numbers 575-577)		none			
23		Response to Request Form W-4 and Affidavit from Chet L. West to CSI dated November 29, 2007 (Notarized), 5 pages (Bates Numbers 578-582)		none			

24		Response with Explanation...to Request Form W-4 and Affidavit from Chet L. West to CSI dated December 16, 2008 (Notarized), 6 pages (Bates Numbers 583-588)		<i>None</i>			
25		West, Chet Lee - 2006 Employee's Withholding Allowance Certificate (Form W-4), 1 page (Bates Number 612)	<i>to</i>	<i>Other</i>	<i>None</i>		
26		FYI Note from Holly Werner, Corporate Memo for 2007 Withholding - Explanation and Affidavit, dated January 22, 2, 15, 19, 2007, 6 pages (Bates Numbers 613-618)		<i>None</i>			
27		Notice of Levy on Wages for 1997 through 2001 sent to Chet Lee West via overnight delivery on June 11, 2007 and email, 10 pages (Bates Numbers 619-628)		<i>None</i>			
28		Response to Notice of Levy with Clarification of Levy Authority letter, envelope, stamps, and a completed certified mail receipt, 8 pages (Bates Numbers 629-636)		<i>None</i>			
29		CSI letter from Werner, do not agree with Chet Lee West, CSI will garnish his wages according to the Notice of Levy, dated June 18, 2007, 1 page (Bates Number 637)		<i>None</i>			
30		Letter to Holly Werner requesting the statue or regulation of authority and what venue, dated June 20, 2007, 1 page (Bates Number 638)		<i>None</i>			
31		IRS levy does not require CSI to comply letter from Chet West to Holly Werner, dated June 21, 2007, 4 pages (Bates Numbers 639-642)		<i>None</i>			
32		Withholding does not apply letter from Chet West to Holly Werner, dated December 17, 2007, 5 pages (Bates Numbers 643-647)		<i>None</i>			
33		Letter Form W-4 does not apply as Chet Lee West claims the status of Nontaxpayer to Holly Werner, dated December 16, 2008, 8 pages (Bates Numbers 648-655)		<i>None</i>			
34		Paperwork (notes, memos, emails, forms) Holly Werner received from Chet West, 102 pages (Bates Numbers 656-757)		<i>None</i>			
35		West, Chet Lee - 2006 through 2009 Wage and Tax Statement (Form W-2), 4 pages (Bates Numbers 758-761)	<i>to</i>	<i>Other</i>	<i>None</i>		
36		West, Chet Lee - Payroll Earnings Records June 12, 2006 through August 11, 2009, 15 pages (Bates Numbers 762-776)		<i>Other</i>	<i>None</i>		

37		Alamogordo Federal Savings and Loan Association Mortgage, 102 Bosque, 136 pages (Bates Numbers 837-972)		R			
38		Alamogordo Federal Savings and Loan Association Mortgage, 1001 Cauthen, 115 pages (Bates Numbers 973-1087)					
39		Alamogordo Federal Savings and Loan Association Mortgage, 423 Maryland, 127 pages (Bates Numbers 1088-1214)					
40		Alamogordo Federal Savings and Loan Association Mortgage, 1202 Elkins, 95 pages (Bates Numbers 1215-1309)					
41		Alamogordo Federal Savings and Loan Association Mortgage, 404 Maryland, 124 pages (Bates Numbers 1310-1433)					
42		Alamogordo Federal Savings and Loan Association Mortgage, 406 Maryland, 157 pages (Bates Numbers 1434-1590)					
43		Alamogordo Federal Savings and Loan Association Mortgage, 102 Bosque, 103 pages (Bates Numbers 1591-1693)		R			
44		Bank of Bennington Account, Signature card, 9 pages (Bates Numbers 1751-1759)		R			
45		Bank of Bennington Account, 2007 Statements, 2 pages (Bates Numbers 1760-1761)					
46		Bank of Bennington Account, 2008 Statements, 24 pages (Bates Numbers 1762-1785)					
47		Bank of Bennington Account, 2009 Statements, 21 pages (Bates Numbers 1786-1806)					
48		Bank of Bennington Account, 2010 Statements, 40 pages (Bates Numbers 1807-1846)					
49		Bank of Bennington Account, 2011 Statements, 6 pages (Bates Numbers 1847-1852)					
50		Bank of Bennington Account, Signature card, 1 page (Bates Number 1853)					
51		Bank of Bennington Account, 2007 Statements, 9 pages (Bates Numbers 1854-1862)					
52		Bank of Bennington Account, 2008 Statements, 26 pages (Bates Numbers 1863-1888)					
53		Bank of Bennington Account 24096, 2009 Statements, 25 pages (Bates Numbers 1889-1913)					
54		Bank of Bennington Account, 2010 Statements, 25 pages (Bates Numbers 1914-1938)					
55		Bank of Bennington Account, 2011 Statements, 4 pages (Bates Numbers 1939-1942)					

56		Bank of Bennington Account, 2007 Statements, 12 pages (Bates Numbers 1943-1954)		R			
57		Bank of Bennington Account, 2008 Statements, 18 pages (Bates Numbers 1955-1972)					
58		Bank of Bennington Account, 2009 Statements, 14 pages (Bates Numbers 1973-1986)					
59		Bank of Bennington Account, 2010 Statements, 24 pages (Bates Numbers 1987-2010)					
60		Bank of Bennington Account, 2011 Statements, 2 pages (Bates Numbers 2011-2012)					
61		Bank of Bennington Account, Signature card, 8 pages (Bates Numbers 2013-2020)					
62		Bank of Bennington Account 24651, 2007 Statements, 2 pages (Bates Numbers 2021-2022)					
63		Bank of Bennington Account, 2008 Statements, 17 pages (Bates Numbers 2023-2039)					
64		Bank of Bennington Account, 2009 Statements, 20 pages (Bates Numbers 2040-2059)					
65		Bank of Bennington Account, 2010 Statements, 23 pages (Bates Numbers 2060-2082)					
66		Bank of Bennington Account, 2011 Statements, 2 pages (Bates Numbers 2083-2084)		R			
67		CSI check number 255871 payable to and deposited into Positive Flow Systems Bank of Bennington, 1 page (Bates Number 2085)		none			
68		CSI check number 3584 payable to and deposited into Positive Flow Systems Bank of Bennington, 1 page (Bates Number 2086)		none			
69		CSI check number 256473 payable to and deposited into Positive Flow Systems Bank of Bennington, 2 pages (Bates Numbers 2087-2088)		none			
70		CSI check number 3648 payable to and deposited into Positive Flow Systems Bank of Bennington, 3 pages (Bates Numbers 2089-2091)		none			
71		CSI check number 257061 payable to and deposited into Positive Flow Systems Bank of Bennington, 1 page (Bates Number 2092)		none			
72		Wells Fargo Bank Account, March 6, 2006 through June 30, 2006 Statements, 20 pages (Bates Numbers 2094-2113)		R			
73		Wells Fargo Bank Account, May 19, 2007 through December 19, 2007 Statements, 17 pages (Bates Numbers 2114-2130)		R			
74		Wells Fargo Bank Account, February 15, 2011 through June 13, 2011 Statements, 16 pages (Bates Numbers 2131-2146)		R			

90		Invoice #90806303 for Unauthorized Funds withheld (\$4,255.55) from Chet L. West to Don Weymer for 2009, dated August 6, 2009, 1 page (Bates Number 2622)	R			
91		Resignation Letter from Chet West to James McGovern, dated August 11, 2009, 1 page (Bates Number 2626)	True			
92		Consultant Agreement by and between CSI and Positive Flow Systems, Chet L. West signed August 11, 2009, 5 pages (Bates Numbers 2627-2631)	True			
93		Payments from CSI to Positive Flow, Chet West during 2009, 15 pages (Bates Numbers 2632-2646)	True			
94		West, Chet Lee - 2009 & 2010 Employee's Withholding Allowance Certificates (Forms W-4) and Response to Request Form W-4 to SMS, 7 pages (Bates Numbers 2653-2659)	Other items			
95		Surrey Bank and Trust records concerning \$8,166.37 transferred to Mount Airy Stockyard on September 7, 2007, 4 pages (Bates Numbers 2673-2676)	R			
96		Mount Airy Stockyard Invoice 101768, for \$8,166.37, dated September 6, 2007, with Paid in Full Wire Transfer written near the bottom, 1 page (Bates Number 2677)	R			
97		West, Chet Lee - 2006 Employee's Withholding Allowance Certificate (Form W-4), 5 pages (Bates Numbers 2680-2684)	R other			
98		West, Chet Lee - 2006 Wage and Tax Statement (Form W-2), 1 page (Bates Number 2685)	R other			
99		West, Chet Lee - Payroll Earnings Records January 3, 2006 through June 2, 2006, 13 pages (Bates Numbers 2686-2698)	R other			
100		Sales Deal Summary for a Honda VT600D for \$6,000.00, finalized date August 11, 2008, 1 page (Bates Number 2700)	R			
101		Sales Deal Summary for a Suzuki VS800 for \$5,199.00, finalized date August 15, 2008, 1 page (Bates Number 2701)	R			
102		Corporate Account Application from Chet West, signed and dated September 7, 2007, 10 pages (Bates Numbers 2703-2712)	R			
103		Account Holder Information from optionsXpress, 2 pages (Bates Numbers 2713-2714)	R			

75		Wells Fargo Bank Account, April 23, 2007 through June 10, 2011 Statements, 96 pages (Bates Numbers 2147-2242)	R			
76		BBVA Compass Account, Signature card, 1 page (Bates Number 2246)	R			
77		BBVA Compass Account, July 26, 2005 through April 15, 2008 Statements, 62 pages (Bates Numbers 2247-2308)	R			
78		BBVA Compass Account, Signature card, 2 pages (Bates Numbers 2309-2310)	R			
79		BBVA Compass Account, October 22, 2004 through April 15, 2008, 70 pages (Bates Numbers 2311-2380)	R			
80		BBVA Compass Account, Signature card, 3 pages (Bates Numbers 2381-2383)	R			
81		BBVA Compass Account, December 15, 2005 through April 15, 2008, 42 pages (Bates Numbers 2384-2425)	R			
82		Great Western Bank Account, Signature card, 2 pages (Bates Numbers 2427-2428)	none			
83		Great Western Bank Account, June 30, 2006 through May 18, 2011 Statements, 145 pages (Bates Numbers 2429-2573)	none			
84		Great Western Bank Account, April 16, 2010 through January 3, 2011 Statements, 12 pages (Bates Numbers 2574-2585)	none			
85		Great Western Bank Account Formerly TierOne, December 22, 2009 through January 3, 2011 Statements, 21 pages (Bates Numbers 2586-2606)	none			
86		Response to Request Form W-4 with handwritten note and Affidavit from Chet L. West to CSI dated November 29, 2007 (Notarized), 5 pages (Bates Numbers 2611-2615)	none			
87		Received Notice of Levy letter from Chet West to Weymer, dated August 6, 2009, 4 pages (Bates Numbers 2616-2619)	none			
88		Invoice #90806202 for Unauthorized Funds withheld (\$7,280.87) from Chet L. West to Don Weymer for 2007, dated August 1, 2009, 1 page (Bates Number 2620)	R			
89		Invoice #90806245 for Unauthorized Funds withheld (\$7,442.93) from Chet L. West to Don Weymer for 2008, dated August 2, 2009, 1 page (Bates Number 2621)	R			

104		optionsXpress, October through December 2007 Statements and Form 1099, 15 pages (Bates Numbers 2715-2729)	R			
105		optionsXpress, 2008 Statements and Form 1099, 48 pages (Bates Numbers 2730-2777)	R			
106		optionsXpress, 2009 Statements and Form 1099, 43 pages (Bates Numbers 2778-2820)	R			
107		optionsXpress, 2010 Statements and Form 1099, 43 pages (Bates Numbers 2821-2863)	R			
108		Frivolous Return Processing Unit Action History February 3, 2006 through May 20, 2013, 2 pages (Bates Numbers 2864-2865)	R			
109		Frivolous Return Processing Unit Phone Calls March 5, 2007 through June 11, 2009, 1 page (Bates Number 2866)	R			
110		Response from Chet West with Explanation and claim not a U.S. citizen, dated September 14, 2006, 5 pages (Bates Numbers 2867-2871)	R			
111		Frivolous Return Program Master Record - Chet West Primary, 3 pages (Bates Numbers 3316-3318)	R			
112		Frivolous Return Program Master Record - Chet West Secondary, 2 pages (Bates Numbers 3319-3320)	R			
113		Articles of Organization Southern Sweets from Teresita Q. Reed, dated March 10, 2009, 1 page (Bates Number 3380)	Other Sweets			
114		Registered Agent of Southern Sweets from Teresita Q. Reed, dated March 26, 2009, 1 page (Bates Number 3381)	Other Sweets			
115		Certificate of Organization Southern Sweets from Teresita Q. Reed, dated April 20, 2009, 1 page (Bates Number 3382)	Other Sweets			
116		New Mexico Public Regulation Commission Approval for Southern Sweets, dated April 22, 2009, 1 page (Bates Number 3383)	none			
117		Resolution of the Members of Southern Sweets, dated December 22, 2009, 1 page (Bates Number 3384)	R			
118		Certificate of Organization Positive Flow Systems dated May 19, 2005, 1 page (Bates Number 3386) (Certified)	none			
119		Articles of Organization Positive Flow Systems dated May 19, 2005, 1 page (Bates Number 3387) (Certified)	none			

120		Registered Agent of Positive Flow Systems dated May 19, 2005, 1 page (Bates Number 3388) (Certified)		none			
121		Certificate of Organization Forge West Investments, dated May 19, 2005, 1 page (Bates Number 3389) (Certified)		none			
122		Articles of Organization Forge West Investments, dated May 19, 2005, 1 page (Bates Number 3390) (Certified)		none			
123		Registered Agent of Forge West Investments, dated May 19, 2005, 1 page (Bates Number 3391) (Certified)		none			
124		Certificate of Organization Valerie's Castle, dated May 19, 2005, 1 page (Bates Number 3392) (Certified)		none			
125		Articles of Organization Valerie's Castle, dated May 19, 2005, 1 page (Bates Number 3393) (Certified)		none			
126		Registered Agent of Valerie's Castle, dated May 19, 2005, 1 page (Bates Number 3394) (Certified)		none			
127		Certificate of Organization Far West Investments, dated October 21, 2008, 1 page (Bates Number 3395) (Certified)		none			
128		Articles of Organization Far West Investments, dated October 21, 2008, 1 page (Bates Number 3396) (Certified)		none			
129		Registered Agent of Far West Investments, dated October 21, 2008, 1 page (Bates Number 3397) (Certified)		none			
130		Certificate of Organization Streamline Accounting Services, dated December 1, 2008, 1 page (Bates Number 3398) (Certified)		none			
131		Articles of Organization Streamline Accounting Services, dated December 1, 2008, 1 page (Bates Number 3399) (Certified)		none			
132		Registered Agent of Streamline Accounting Services, dated December 1, 2008, 1 page (Bates Number 3400) (Certified)		none			
133		Certificate of Organization Omnipresent Greening, dated March 30, 2009, 1 page (Bates Number 3401) (Certified)		R			
134		Articles of Organization Omnipresent Greening, dated March 30, 2009, 1 page (Bates Number 3402) (Certified)		R			

135		Registered Agent of Omnipresent Greening, dated March 30, 2009, 1 page (Bates Number 3403) (Certified)		R			
136		Certificate of Organization Chet West, dated April 6, 2009, 1 page (Bates Number 3404) (Certified)		R			
137		Articles of Organization Chet West, dated April 6, 2009, 1 page (Bates Number 3405) (Certified)		R			
138		Registered Agent of Chet West, dated April 6, 2009, 1 page (Bates Number 3406) (Certified)		R			
139		Certificate of Organization Fire Star, dated April 14, 2009, 1 page (Bates Number 3407) (Certified)		R			
140		Articles of Organization Fire Star, dated April 14, 2009, 1 page (Bates Number 3408) (Certified)		R			
141		Registered Agent of Fire Star, dated April 14, 2009, 1 page (Bates Number 3409) (Certified)		R			
142		Certificate of Organization Southern Sweets, dated April 20, 2009, 1 page (Bates Number 3410) (Certified)		R			
143		Articles of Organization Southern Sweets, dated April 20, 2009, 1 page (Bates Number 3411) (Certified)		R			
144		Registered Agent of Southern Sweets, dated April 20, 2009, 1 page (Bates Number 3412) (Certified)		R			
145		Certificate of Organization Service Technology And Repair, dated January 25, 2010, 1 page (Bates Number 3413) (Certified)		R			
146		Articles of Organization Service Technology And Repair, dated January 25, 2010, 1 page (Bates Number 3414) (Certified)		R			
147		Registered Agent of Service Technology And Repair, dated January 25, 2010, 1 page (Bates Number 3415) (Certified)		R			
148		Certificate of Organization Media Panache, dated June 3, 2010, 1 page (Bates Number 3416) (Certified)		R			
149		Articles of Organization Media Panache, dated June 3, 2010, 1 page (Bates Number 3417) (Certified)		R			
150		Registered Agent of Media Panache, dated June 3, 2010, 1 page (Bates Number 3418) (Certified)		R			

UNITED STATES OF AMERICA
Plaintiff

DEBORAH R. GILG
United States Attorney
District of Nebraska

By: s/Donald J. Kleine
DONALD J. KLEINE, #22669
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CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. The filing was sent by U.S. mail to the following:

Chet Lee West
32 Fairbanks St.
Hillside, NJ 07205

s/Donald J. Kleine
DONALD J. KLEINE
Assistant United States Attorney